

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-26-0247-FREMONT BOULDER CROSSING, LLC:

USE PERMIT for outdoor storage and display.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** eliminate and reduce buffering and screening; **2)** reduce security fence height; and **3)** reduce access gate setback.

DESIGN REVIEW for a proposed tow yard with outdoor storage on 1.01 acres in an IL (Industrial Light) Zone.

Generally located north of Sahara Avenue and west of Palm Street within Sunrise Manor. TS/jam/cv (For possible action)

RELATED INFORMATION:

APN:

162-01-803-001

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Eliminate the landscape buffer along the south property line where a 15 foot wide landscape buffer consisting of a double row of evergreen trees is required per Section 30.04.02C.
- b. Eliminate the landscape buffer along the west property line where a 15 foot wide landscape buffer consisting of a double row of evergreen trees is required per Section 30.04.02C.
- c. Allow an existing 6 foot high screen wall with 2 foot high barb wire to remain along the south property line where an 8 foot high decorative wall is required per Section 30.04.02C.
- d. Allow an existing 6 foot high fence with 2 foot high barb wire to remain along the west property line where an 8 foot high decorative wall is required per Section 30.04.02C.
2. Reduce the minimum height of barbed wire in conjunction with a security fence to 6 feet where 8 feet is the minimum per Section 30.04.03D (a 25% reduction).
3. Reduce the existing access gate to 5 feet from the property line where 18 feet is required per Section 30.04.04E (a 72% reduction).

LAND USE PLAN:

SUNRISE MANOR - BUSINESS EMPLOYMENT

SUNRISE MANOR - LOW-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 5 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 2143 Palm Street
- Site Acreage: 1.01
- Project Type: Tow yard with outdoor storage and display
- Parking (Required/Provided): 7/7

Site Plan

The site plan depicts a 1.01 acre paved lot with perimeter fencing, existing lighting poles, and two fenced-in communication tower compounds. Access is from Palm Street through an existing gate located approximately 5 feet from the property line. The entire site is surfaced with asphalt and enclosed with a combination of 6 foot chain link fencing with 2 foot barbed wire and existing block walls with barbed wire on top. There are no proposed improvements for the site as the applicant intends to use the site to store vehicles associated with a towing business. The existing security fence surrounding the site was not permitted therefore a waiver of development standards is requested to allow the barb wire to be 6 feet high where 8 feet is required. Since the proposed outdoor storage and display use is not screened by an 8 foot high decorative wall from Palm Street nor is it screened from the adjacent non-industrial uses a special use permit is required. 7 parking spaces are provided on site where 7 are required.

Landscaping

No landscaping is proposed with this request. Per the applicant, no landscaping is currently installed, and the applicant requests to eliminate required landscape buffers along the south and west property lines due to the fully developed surroundings and existing improvements.

Applicant's Justification

The applicant states that they plan to utilize the site to operate and store vehicles. The site is already paved and similarly, there is an adjacent vehicle sales dealership that sales and store vehicles outside. There are no proposed improvements to the site, and the existing screening will remain. Additionally, the existing communication towers will remain as is. Street landscaping will not be installed since this requirement was waived with UC-1994-93.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-0643-09	Vacation and abandonment of the Fremont Street/Mojave Road alley - recorded	Approved by PC	December 2009
UC-1994-93	Use permit for a transmission tower	Approved by PC	January 1994

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Business Employment	IL	Office/warehouse & commercial center
South & West	Corridor Mixed-Use	CG	Vehicle sales & Motel
East	Compact Neighborhood (up to 18 du/ac)	CG	Recreational vehicle park

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Use Permit

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

Outdoor storage and display in the IL zone requires a use permit to ensure compatibility with surrounding development. While the area contains commercial and industrial uses, the site lacks the minimum screening, buffering, and access standards required for outdoor storage operations. The absence of landscaping and decorative walls does not demonstrate adequate mitigation of visual and operational impacts. For these reasons, staff cannot support this request.

Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Waiver of Development Standards #1

The applicant requests to eliminate all required landscape buffers and maintain the existing 6 foot fencing and block walls with barbed wire on top in place of 8-foot decorative walls. These reductions remove the primary screening elements intended to mitigate visual impacts of outdoor storage. The complete elimination of buffering does not meet the purpose of Section 30.04.02C and does not provide an appropriate interface with adjacent properties or the public right-of-way. For these reasons, staff cannot support these waivers.

Waiver of Development Standards #2

The reduced height of the security fence wire to 6 feet where 8 feet is the minimum required diminishes both security and screening effectiveness. The applicant has the opportunity to comply with this standard since no other improvements are proposed. For these reasons, staff cannot support this request.

Waiver of Development Standards #3

While staff can understand the desire to secure the site, staff finds that the requests to reduce the access gate setback is a self-imposed hardship that will not substantially increase the safety and security of the site than if it was set back per Title 30 regulations. The applicant has not provided a compelling justification for why the fence and access gate cannot be redesigned or redesigned to comply with Title 30 standards. Therefore, staff cannot support this request.

Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

The design review addresses the use of the site as a proposed tow yard with outdoor storage. The proposal relies entirely on existing pavement and fencing, with no new screening, landscaping, or architectural improvements. The site is visible from Palm Street and adjacent properties, and the lack of required buffering and decorative screening does not meet the intent of Title 30 for outdoor storage uses, therefore, staff cannot support this request.

Staff Recommendation

Denial.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Reconstruct driveway as commercial pan driveways per Uniform Standard Drawings 222.1 and 224 or provide a 5 foot wide concrete sidewalk behind the existing driveways for compliance with the Americans with Disabilities Act (ADA).

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: METRO TOWING UNLIMITED

CONTACT: METRO TOWING UNLIMITED, 1917 SONDRIO DRIVE, LAS VEGAS, NV
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